

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANGELA DEDIVANOVIC,

Plaintiff,

-against-

BUILDING SERVICE 32B-J PENSION
FUND,

Defendant.
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NOTICE OF MOTION
FOR SUMMARY JUDGMENT

05-CV-3458 (TMG)(MHD)

PLEASE TAKE NOTICE, that upon the Affidavit of Peggy Napier, the exhibits annexed thereto, Defendant's Statement of Undisputed Facts and the accompanying Memorandum of Law, and upon all proceedings previously had herein, the Defendant, Building Service 32B-J Pension Fund, ("Fund"), by its attorneys, Raab, Sturm & Ganchrow, LLP, will move this Court, before the Honorable Thomas A. Griesa, United States Senior Judge for the Southern District of New York, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, on the 30th day of April, 2010, or as soon thereafter as counsel may be heard, for an order granting summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure, dismissing this action in its entirety on the grounds that Plaintiff is unable, as a matter of law, to set forth a valid *prima facie* cause of action against Defendant.

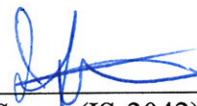
PLEASE TAKE FURTHER NOTICE that answering papers and cross motions, if any, are to be served in accordance with the schedule agreed to by the parties and reply papers are to be served by April 30, 2010.

Dated: New York, New York
March 5 , 2010

Respectfully submitted,

RAAB, STURM & GANCHROW, LLP

By:



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